



## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/735,419
		Filing Date	December 11, 2003
		First Named Inventor	Gilbert, Michel
		Art Unit	1652
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission	16	Attorney Docket Number	019633-000118US

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
		Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Beth L. Kelly	
Signature		
Date	May 6, 2004	

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Jo Ann Honcik Dallara		
Signature		Date	May 6, 2004

PATENT

Attorney Docket No.: 019633-000118US  
Client Reference No.: NRC00072.1



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

GILBERT and WAKARCHUK

Application No.: 10/735,419

Filed: December 11, 2003

For: NUCLEIC ACIDS ENCODING  
SIALYTRANSFERASES FROM C.  
JEJUNI

Customer No. 20350 /

Confirmation No. 2617

Examiner: Unassigned

Art Unit: 1652

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

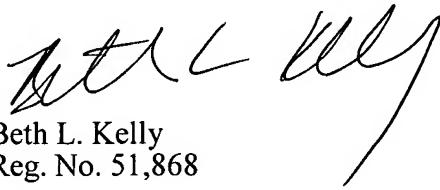
The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/816,028, filed March 21, 2001 (Attorney Docket No. 019633-000111US). The references cited as BA-BC are enclosed herein. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Dated: May 6, 2004

  
Beth L. Kelly  
Reg. No. 51,868

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
BLK:mbn  
60120153 v1



Information Disclosure Statement by Applicant <i>(use as many sheets as necessary)</i>			<i>Complete if Known</i>		
Application Number	10/735,419				
Filing Date	December 11, 2003				
First Named Inventor	Gilbert, Michel				
Art Unit	1652				
Examiner Name	Unassigned				
Sheet	1	of	3	Attorney Docket Number	019633-000118US

U.S. PATENT DOCUMENTS+				
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	AA	US-5,352,670	10-04-1994	Venot et al.
	AB	US-5,374,541	12-20-1994	Wong et al.
	AC	US-5,545,553	08-13-1996	Gotschlich

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Country Code <sup>3</sup>	Number <sup>4</sup>				
X	AD	WO	92/16640	10-01-1992	The Scripps Research Institute	<input type="checkbox"/>	
X	AE	WO	96/32491	10-17-1996	Cytel Corp.	<input type="checkbox"/>	
X	AF	WO	99/49051	A1	09-30-1999	National Research Council of Canada	<input type="checkbox"/>
X	AG	WO	00/46379	A1	08-10-2000	Gilbert et al.	<input type="checkbox"/>

x Did not receive

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
Sheet	2	of	3	Application Number	10/735,419
				Filing Date	December 11, 2003
				First Named Inventor	Gilbert, Michel
				Art Unit	1652
				Examiner Name	Unassigned
				Attorney Docket Number	019633-000118US

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
✓	AH	ASPINALL et al.; "Chemical Structures of the Core Regions of <i>Campylobacter Jejuni</i> Serotypes O:1, O:4, O:23, and O:36 Lipopolysaccharides"; <i>European Journal of Biochemistry</i> ; May, 1993; pp. 1017-1027; Vol. 213, No. 3.			
✗	AI	ASPINALL et al.; "Lipopolysaccharides from <i>Campylobacter jejuni</i> Associated with Guillain-Barre Syndrome Patients Mimic Human Gangliosides in Structure"; <i>Infect. Immun.</i> ; 1994a; pp. 2122-2125; Vol. 62.			
✗	AJ	ASPINALL et al.; "Lipopolysaccharides of <i>Campylobacter jejuni</i> Serotype O:19: Structures of Core Oligosaccharide Regions from the Serostrain and Two Bacterial Isolates from Patients with the Guillain-Barre Syndrome"; <i>Biochemistry</i> ; 1994b; pp. 241-249; Vol. 33.			
✗	AK	ASPINALL et al.; "Lipopolysaccharides of <i>Campylobacter jejuni</i> Serotype O:19: Antigen Chains from the Serostrain and Two Bacterial Isolates from Patients with the Guillain-Barre Syndrome"; <i>Biochemistry</i> ; 1994c; pp. 250-255; Vol. 33.			
✗	AL	BELUNIS et al.; "Biosynthesis of Endotoxin"; <i>J. Biol. Chem.</i> ; 1992; pp. 9988-9997; Vol. 267.			
✗	AM	GAUDINO et al.; "A Novel and Efficient Synthesis of Neolacto Series Gangliosides 3'-nLM <sub>1</sub> and 6'-nLM <sub>1</sub> "; <i>J. Am. Chem. Soc.</i> ; 1994; pp. 1149-1150; Vol. 116.			
✗	AN	GILBERT et al.; "Biosynthesis of Ganglioside Mimics in <i>Campylobacter Jejuni</i> OH4384"; <i>The Journal of Biological Chemistry</i> ; February 11, 2000; pp. 2896-3906; Vol. 275, No. 6; The American Society for Biochemistry and Molecular Biology, Inc.; USA.			
✗	AO	GILBERT et al.; "Cloning of the Lipooligosaccharide α-2,3-Sialyltransferase from the Bacterial Pathogens <i>Neisseria meningitidis</i> and <i>Neisseria gonorrhoeae</i> "; <i>J. Biol. Chem.</i> ; 1996; pp. 28271-28276; Vol. 271.			
✗	AP	GILBERT et al.; EMBL Acc# AY044868 2002. Alignment with SEQ ID NO: 3.			
✗	AQ	ITO et al.; "Synthesis of Bioactive Sialosides"; <i>Pure Appl. Chem.</i> ; 1993; p. 753; Vol. 65.			
✗	AR	KUROKI; "Campylobacter jejuni Strains from Patients with Guillain-Barre Syndrome Belong Mostly to Penner Serogroup 19 Contain β-N-Acetylglucosamine Residues"; <i>Ann. Neurol.</i> ; 1993; pp. 243-247; Vol. 33.			
.	AS	PARKHILL et al.; "The Genome Sequence of the Food-Borne Pathogen Campylobacter Jejuni Reveals Hypervariable Sequences"; <i>Nature</i> ; February 10, 2000; pp. 665-668; Vol. 403.			
✓	AT	PENNER et al.; "Diversity of Lipopolysaccharide Structures in <i>Campylobacter Jejuni</i> "; <i>The Journal of Infectious Diseases</i> ; December, 1997; pp. S135-S138; Vol. 176, No. 2.			
✗	AU	PRENDERGAST et al.; "Lipopolysaccharides form <i>Campylobacter Jejuni</i> O:41 Strains Associated with Guillain-Barre Syndrome Exhibit Mimicry of GM1 Ganglioside"; <i>Infection and Immunity</i> ; August 1998; pp. 3649-3677; Vol. 66, No. 8.			
✗	AV	PRESTON et al.; "The Lipooligosaccharides of Pathogenic Gram-Negative Bacteria"; <i>Critical Reviews in Microbiology</i> ; 1996; pp. 139-180; Vol. 22, No. 3.			
✗	AW	SABESAN et al.; "Combined Chemical and Enzymatic Synthesis of Sialyloligosaccharides and Characterization by 500-MHz <sup>1</sup> H and C NMR Spectroscopy"; <i>J. Am. Chem. Soc.</i> ; 1986; pp. 2068-2080; Vol. 108.			
✗	AX	SALLOWAY et al.; "Miller-Fisher Syndrome Associated with <i>Campylobacter jejuni</i> Bearing Lipopolysaccharide Molecules that Mimic Human Ganglioside GD"; <i>Infect. Immun.</i> ; 1996; pp. 2945-2949; Vol. 64.			

Examiner Signature	Date Considered
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
Sheet	3	of	3	Application Number	10/735,419
				Filing Date	December 11, 2003
				First Named Inventor	Gilbert, Michel
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				Attorney Docket Number	019633-000118US

X	AY	WAKARCHUK et al.; "Functional Relationships of the Genetic Locus Encoding the Glycosyltransferase Enzymes Involved in Expression of the Lacto-N-neotetraose Terminal Lipopolysaccharide Structure in <i>Neisseria meningitidis</i> "; <i>J. Biol. Chem.</i> ; 1996; pp. 19166-19173; Vol. 271.	
X	AZ	WOOD et al.; "Cloning, Mutation and Distribution of a Putative Lipopolysaccharide Biosynthesis Locus in <i>Campylobacter jejuni</i> "; <i>Microbiology</i> ; February 1999; pp. 379-388; Vol. 145, No. 2.	
X	BA	PARKHILL, J., ET AL., "The genome sequence of the food-borne pathogen <i>Campylobacter jejuni</i> reveals hypervariable sequences," <i>Nature</i> , 10 Febr. 2000, 403:665-668.	
	BB	Accession No. AL111168	
	BC	http://web.archive.org/web/*http://www.sanger.ac.uk/Projects/C_jejuni/ Search Results for Jan 01, 1996 - Apr 07, 2004	

X Did not receive

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